

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
SOUTHERN DIVISION
NO. 7:12-CR-79-1D

UNITED STATES OF AMERICA)
)
 v.)
)
HARRY DEAN CANADY)

FINAL ORDER OF FORFEITURE

WHEREAS, on March 21, 2013, this Court entered a Preliminary Order and Judgment of Forfeiture pursuant to the provision of 18 U.S.C. § 924(d)(1), 981(a)(1)(C), as made applicable by Title 28 U.S.C. § 2461, and 18 U.S.C. § 982(a)(1) & (a)(2)(A), and agreeing to the forfeiture of the property listed in the March 21, 2013 Preliminary Order and Judgment of Forfeiture, to wit:

AND WHEREAS, the United States published notice of this forfeiture at the www.forfeiture.gov web site for at least 30 consecutive days, between July 30, 2014 and August 28, 2014, as required by Rule G(4)(a)(iv)(C) of the Supplemental Rules for Admiralty of Maritime Claims and Asset Forfeiture Actions, and said published notice advised all third parties of their right to petition the court within sixty (60) days from the first day of the publication date for a hearing to adjudicate the validity of their alleged legal interest in the forfeited property;

AND WHEREAS, it appears from the record that no claims, contested or otherwise, have been filed for any of the subject property described in this Court's March 21, 2013 Preliminary Order and Judgment of Forfeiture, other than those specifically mentioned herein;

AND WHEREAS, the subject firearms and ammunition were previously forfeited in a related civil judicial forfeiture action, *USA v. Canady Personal Property, et al.*, U. S. District Court Number 7:11-CV-76-D, and hence, the firearms and ammunition may be released from this criminal judicial action;

AND WHEREAS, the United States advises the Court that it is no longer seeking the judicial forfeiture of the farm equipment, subject real properties, rental proceeds and patronage payments.

AND WHEREAS, the United States requests that the Post-Indictment Restraining Order entered on June 20, 2012 in this action be released.

It is HEREBY ORDERED, ADJUDGED and DECREED:

1. That the remaining property, that is, the subject bank accounts listed in the March 21, 2013 Preliminary Order and Judgment of Forfeiture, are hereby forfeited to the United States. The United States Department of Treasury is directed to dispose of the property according to law.

2. That any and all forfeited funds shall be deposited by the United States Department of Treasury as soon as


located or recovered into the Department of Treasury's Assets Forfeiture Fund in accordance with 28 U.S.C. § 524(c) and 21 U.S.C. § 881(e).

3. That the Post-Indictment Restraining Order entered on June 20, 2012 is released.

4. That the subject firearms and ammunition, farm equipment, real properties, rental proceeds and patronage payments are released from this criminal forfeiture action.

The Clerk is hereby directed to send copies of this Order to all counsel of record.

SO ORDERED this 5 day of July, 2015.



JAMES C. DEVER, III
CHIEF UNITED STATES DISTRICT JUDGE